



ATTORNEY DOCKET NO: 17396/09007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Ding and Asrar)

Examiner: Jeffrey L. Gellner

Serial No: 10/079,000)

Art Unit: 3643

Filed: February 18, 2002)

Deposit Account: 50-2548

Title: Method of controlling the release of
agricultural active ingredients from treated
plant seeds)

RECEIVED

MAR 20 2003

GROUP 3600

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a response to the Office Action dated December 10, 2002, and is intended to be responsive to each and every issue raised in that Action. The response is being deposited as First Class Mail on the date noted on the attached Certificate of Mailing and is believed to be timely with respect to the three month shortened statutory period for response that was set in the Action.

It is respectfully requested that the claims be reconsidered in view of the reasons for patentability discussed below and be found to be allowable.

REMARKS:

Claims 1 - 40 remain in the case.

No new matter has been added.

Rejection of claims 1, 2, 12 - 24, 30, 32, 34 - 36 and 38 - 40 under 35 USC §102(b) as anticipated by U.S. Patent No. 5,849,320 to Turnblad *et al.*

It is respectfully requested that the rejection of claims 1, 2, 12 - 24, 30, 32, 34 - 36 and 38 - 40 under 35 USC §102(b) as anticipated by U.S. Patent No. 5,849,320 to



CHARLES E. DUNLAP
REGISTERED PATENT ATTORNEY
(ADMITTED IN SC AND MO)
(864) 250-2238
INTERNET ADDRESS: CED@NMRS.COM

LAW OFFICES
NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP

KEENAN BUILDING, THIRD FLOOR
1330 LADY STREET
Post Office Box 11070 (29211)
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 799-2000
FACSIMILE (803) 256-7500
WWW.NMRS.COM

OTHER OFFICES:
ATLANTA, GEORGIA
CHARLESTON, SOUTH CAROLINA
CHARLOTTE, NORTH CAROLINA
COLUMBIA, SOUTH CAROLINA
MYRTLE BEACH, SOUTH CAROLINA
RALEIGH, NORTH CAROLINA
WINSTON-SALEM, NORTH CAROLINA

6 3643
Argu.

First Class Mailing Transmittal Letter

Applicant: Ding al.
Serial No: 10/079,000
Filing Date: February 18, 2002
Title: Method of Controlling the Release of Agricultural Active Ingredients
from Treated Plant Seeds
Our Reference: 17396/09007 (51-21(51954))

Copy
3-27-03
RECEIVED
MAR 20 2003
GROUP 3600

The following is being transmitted herewith:

1. Response to Office Action under 37 CFR §1.111 (6 pages).
2. Return Postcard.

First Class Mail Certificate

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail on March 10, 2003 and is addressed to: Box Non-Fee Amendment, Commissioner of Patents, Washington, DC 20231.

Name of Person Signing Certificate: Anna A. Von

Signature: *Anna A. Von*

Date of Signing: *March 10, 2003*